

M

PATENT

Attorney Docket No. A-67229-9/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

DAHIYAT, *et al.*

Serial No. 09/927,790

Filed: August 10, 2001

For: **PROTEIN DESIGN AUTOMATION
FOR PROTEIN LIBRARIES**

Examiner: To be assigned

Group Art Unit: 1653

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX MISSING PARTS/FEE, Assistant Commissioner for Patents, Washington, DC 20231 on:

Date: December 21, 2001

Signed: Mary M Garland

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS/FEE
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed September 26, 2001, enclosed are the following documents:

- a) Petition for Extension of Time (One-month);
- b) Check in the amount of \$ 574.00 for:

Basic Filing Fee (Small Entity) \$ 370.00

Petition for Extension of Time (One Month) \$ 55.00

Missing Parts Surcharge \$ 65.00

Additional Claims \$ 84.00

- c) Copy of the Notice to File Missing Parts of Nonprovisional Application;
- d) Declaration for Patent Application;
- e) Power of Attorney by Assignee;
- f) Request for Corrected Filing Receipt;

Serial No.: 09/927,790

Filed: August 10, 2001

g) Return Postcard.

Applicant claims small entity status. See 37 CFR 1.27.

Although Applicant does not believe any additional fees are required, the Assistant Commissioner is authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File A-67229-9/RFT/RMS/RMK).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Dated: 12/21/01

By


Renee M. Kossak, Reg No. 47,717 for
Robin M. Silva, Reg No. 38,304

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989

445
PATENT

Attorney Docket No. A-67229-9/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:) Examiner: Unknown
DAHIYAT, et al.) Group Art Unit: 1653
Serial No.: 09/927,790)
Filed: August 10, 2001)
For: *Protein Design Automation*)
For Protein Libraries)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX MISSING PARTS Commissioner for Patents, Washington, DC 20231 on

December 21, 2001

signed: Mary M Farland

REQUEST FOR CORRECTED FILING RECEIPT

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

Appended hereto is a copy of the Official Filing Receipt with the corrections

indicated in red.

Under Applicant(s), after "Joerg", insert --Bentzien--; change "klaus" to --Klaus--.

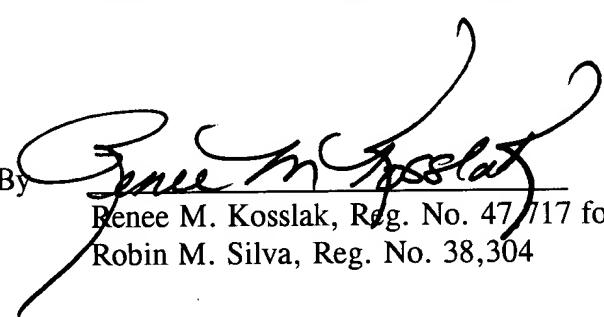
Under Domestic Priority data as claimed by applicant, third line, change "60/184,904 02/25/2000" to --60/186,904 03/03/2000--; fifth line, change "09/419,315" to --09/419,351--.

Serial No.: 09/927,790
Filing Date: August 10, 2001
Group Art Unit: 1653

Enclosed is our check in the amount of \$25.00 to cover the fee required for the corrected Filing Receipt. The Commissioner is hereby authorized to charge any additional fees which may be due, including extension fees, or debit any overpayment to Deposit Account No. 06-1300 (Our File A-67229-9/RFT/RMS/RMK).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

By 
Renee M. Kosslek, Reg. No. 47,717 for
Robin M. Silva, Reg. No. 38,304

Suite 3400
Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

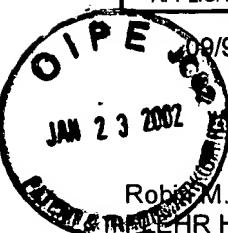
1065427



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/927,790	08/10/2001	1653	0.00	A-67229-9/RFT/RMS/RMK	7	9	5



Robert M. Silva
 LEHR HOHBACH TEST ALBRITTON & HERBERT LLP
 Suite 3400
 Four Embarcadero Center
 San Francisco, CA 94111-4187

CONFIRMATION NO. 6955

FILING RECEIPT



OC000000006798068*

Date Mailed: 09/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

KLAUS Bassil Dahiyat, Los Angeles, CA;
 Joerg, Pasadena, CA;
 Klaus Fiebig, Frankfurt, GERMANY;
 Robert Hayes, Pasadena, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/782,004 02/12/2001
 WHICH CLAIMS BENEFIT OF 60/181,630 02/10/2000
 AND CLAIMS BENEFIT OF 60/184,904 02/25/2000*
 AND CLAIMS BENEFIT OF 60/197,851 04/14/2000
 AND A CON OF 09/448,845 10/15/1999
 WHICH CLAIMS BENEFIT OF 60/158,700 10/08/1999
 AND CLAIMS BENEFIT OF 60/104,612 10/16/1998

(*) Data inconsistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted 09/26/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Protein design automation for protein libraries

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/927,790	08/10/2001	Bassil I Dahiyat	A-67229-9/RFT/RMS/RMK

CONFIRMATION NO. 6955

Robin M. Silva
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

OC00000006798069

0600000006798069

Date Mailed: 09/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
 - Total additional claim fee(s) for this application is \$80.
 - \$80 for 2 independent claims over 3 .
 - The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
 - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
 - **The balance due by applicant is \$ 500.**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/1/20/2002 NR0CHAI 00000039 09922790
11 FC-201
12 FC-202
13 FC-205
14 FC-206